

## DECLARATION

As a below-named inventor, I(we) hereby declare that:

### TYPE OF DECLARATION

This declaration is of the following type:

- ☐ original
- ☐ design
- ☐ supplemental
- ☐ national stage of PCT
- ☐ divisional
- ☒ continuation
- ☐ continuation-in-part (CIP)

### INVENTORSHIP DECLARATION

My residence, post office address, and citizenship are as stated below next to my name;

I verily believe I am the original, first and sole inventor (*if only one name is listed below*) or an original, first and joint inventor (*if plural names are listed below*) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

### IMPROVED LONGITUDINALLY FLEXIBLE EXPANDABLE STENT

the specification of which:

- a) ☐ is being filed concurrently herewith
- b) ☒ was filed on July 24, 1998 and assigned Serial No. 09/122,431
- c) ☐ was filed as PCT International Application No. \_\_\_\_\_ filed on \_\_\_\_\_ and amended under PCT Article 19 on \_\_\_\_\_.

### ACKNOWLEDGMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations §1.56 including information occurring between the filing date of any prior application of which the present application is a continuation-in-part.

- ☐ In compliance with this duty there is attached an Information Disclosure Statement. 37 CFR 1.97.

### PRIORITY CLAIM

I hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d), of any foreign application(s) for patent or inventor's certificate or of any PCT international applications(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application for patent or inventor's certificate or any PCT international applications(s) designating at least one country other than the United States of America filed by me having the same subject matter having a filing date before that of the application on which priority is claimed.

- a) ☒ no such applications have been filed.  
b) ☐ such applications have been filed as follows:

COUNTRY	APPLICATION NUMBER	DATE OF FILING (day, month, year)	PRIORITY CLAIMED UNDER 37 USC 119
			<input type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO

I hereby claim the benefit under Title 35 United States Code, §119(e) of any United States provisional application identified below.

- a) ☐ no such applications have been filed.  
b) ☒ such applications have been filed as follows:

U.S. APPLICATIONS	
APPLICATION NUMBER	U.S. FILING DATE
1.	
2.	

### CLAIM FOR BENEFIT OF EARLIER U.S./PCT APPLICATIONS(S) UNDER 35 U.S.C. §120

I hereby claim the benefit under Title 35, United States Code, §120 of any United States applications(s) or PCT international applications(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior applications(s) in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56 which occurred between the filing date of the prior applications(s) and the national or PCT international filing date of this application.

- a) ☐ no such applications have been filed.  
b) ☒ such applications have been filed as follows:

U.S. APPLICATIONS	
SERIAL NUMBER	U.S. FILING DATE
1. 08/396,569	March 1, 1995
2. 08/511,076	August 3, 1995
PCT APPLICATIONS DESIGNATING THE U.S.	
PCT APPLICATION NO.	PCT FILING DATE
3.	

I hereby declare that all statements made herein of my knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Telephone calls and correspondence should be directed to: Jonathan Grad,  
VIDAS, ARRETT & STEINKRAUS, P.A., Suite 2000, 6109 Blue Circle Drive, Minnetonka,  
MN 55343-9131, Telephone: (612) 563-3000, Facsimile: (612) 563-3001.

09666666 092000

**Full name:** Brian J. Brown

**Inventor's signature:**

Date:

**Citizenship:**

**Post office Address:****Residence:**

(If different than above)

**Full name:**

**Full name:** Michael L. Davis

**Inventor's signature:**

Date:

**Citizenship:**

**Post office Address:****Residence:**

(If different than above)

**SECRET**

## UTILITY/DESIGN PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s):	Brian J. Brown et al
Title:	IMPROVED LONGITUDINALLY FLEXIBLE EXPANDABLE STENT
Filed:	<input type="checkbox"/> concurrently herewith <input checked="" type="checkbox"/> on <u>July 24, 1998</u> and assigned Serial No. <u>09/122,431</u>

Assistant Commissioner for Patents  
Washington, DC 20231

Docket No: S63.2-7076

## POWER OF ATTORNEY FROM ASSIGNEE

As assignee of record of the entire interest of the above identified patent application,  
SCIMED LIFE SYSTEMS, INC. hereby appoints the following attorneys to prosecute this application and to  
transact all business in the Patent and Trademark Office connected therewith:

Jonathan Grad	Reg. No. 41,795
Oliver F. Arrett	Reg. No. 22,117
Scott Q. Vidas	Reg. No. 30,812
Walter J. Steinkraus	Reg. No. 29,592
Richard A. Arrett	Reg. No. 33,153
Robert O. Vidas	Reg. No. 20,164
Leoniede M. Brennan	Reg. No. 35,832
Jane H. Arrett	Reg. No. 33,355
William E. Anderson, II	Reg. No. 37,766

all of Vidas, Arrett & Steinkraus, P.A., Suite 2000, 6109 Blue Circle Drive, Minnetonka, MN 55343-9131,  
Telephone: (612) 563-3000, Facsimile: (612) 563-3001, and hereby authorizes them to act and rely on  
instructions from, and to communicate directly with, the firm or person which sent this case to Vidas, Arrett &  
Steinkraus, P.A., unless or until it instructs Vidas, Arrett & Steinkraus P.A., in writing to the contrary.

Dated this 26<sup>th</sup> day of October, 1998.

(Company Name)

SCIMED LIFE SYSTEMS, INC.

(Signature)  
(Typed name)

By: [Signature]

(Title)

Its: Patent Attorney

000260 95633001

(Foreign)

LIMITED AUTHORIZATION TO ACT ON BEHALF OF ASSIGNEE  
REGARDING CERTAIN PATENT MATTERS  
EFFECTIVE THROUGH: December 31, 2000

\*\*\*\*\*

I, Janet M. Kelly, as Vice President and Corporate Controller of Boston Scientific Corporation, the controlling corporation of:

AMS Medinvent S.A.; Boston Scientific BV; Boston Scientific Corporation Northwest Technology Center, Inc.; Boston Scientific Ireland Limited; Boston Scientific Japan KK; Boston Scientific Limited; Boston Scientific Scimed, Inc.; Boston Scientific Technology, Inc.; BSC Technology, Inc.; CardioGene Therapeutics, Inc.; Cardiovascular Imaging Systems, Inc.; Cardiovascular Innovations Canada, Inc.; Corvita Canada, Inc.; Corvita Corporation; Corvita Europe S.A.; E.P. Technologies, Inc.; Laboratoires Corvita S.A.R.L.; Meadox Medicals, Inc.; Meadox Technology, Inc.; NAMIC Eireann Limited; NAMIC International, Inc.; Nilo Holding, S.A.; Schneider (Europe) GmbH; Schneider (USA), Inc.; Schneider Belgium NV; Schneider Holland BV; Schneider Ireland BV; Schneider Puerto Rico; Schneider/NAMIC; Scimed Life Systems, Inc.; Scimed Technology, Inc.; Symbiosis Corporation; and Target Therapeutics, Inc.;

and as Director, Treasurer, and Controller of Boston Scientific Limited;

hereby authorize the following registered patent attorneys/agents (1) to act on behalf of any of the corporations identified above, including Boston Scientific Corporation, with regard to any matters before the United States Patent and Trademark Office, any foreign patent offices, and any international patent entities, (2) to execute power of attorney documents on behalf of any of the corporations identified above, including Boston Scientific Corporation, to appoint and/or establish any attorneys, agents, and/or law firms to act on behalf of any of the corporations identified above, including Boston Scientific Corporation, in any foreign or international patent applications filed with any foreign and/or international patent offices, and (3) to execute assignment and ownership documents on behalf of any of the corporations identified above, including Boston Scientific Corporation, with regard to any matters before the United States Patent and Trademark Office, any foreign patent offices, and any international patent offices:

Scott T. Bluni .....	Reg. No. 40,916
Mark J. Casey .....	Reg. No. 37,796
David L. Cavanaugh .....	Reg. No. 36,476
Luke R. Dohmen .....	Reg. No. 36,783
Peter J. Gafner .....	Reg. No. 36,517
Patricia Davis .....	Reg. No. 37,866
Todd P. Messal .....	Reg. No. 42,883
Robert M. Rauker .....	Reg. No. 40,782
William J. Shaw .....	Reg. No. 43,111

Janet M. Kelly  
Vice President and Corporate Controller

1/5/2000  
Date

COMMONWEALTH OF MASSACHUSETTS  
COUNTY OF MIDDLESEX

)  
) ss.

On this 5<sup>th</sup> day of January, 2000 before me personally appeared Janet M. Kelly to me known and known to me to be the person described in and who executed the foregoing instrument, and she duly acknowledged to me that she executed the same for the uses and purposes set forth herein.

Barbara J. Benzle  
Notary Public